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9  
10 **BEFORE THE**  
**BOARD OF REGISTERED NURSING**  
**DEPARTMENT OF CONSUMER AFFAIRS**  
11 **STATE OF CALIFORNIA**

12 In the Matter of the Petition to Revoke Probation  
Against:

Case No. 2009-276

13 ALEXIS LYNN LETTINGTON  
3963 Calle San Antonio  
14 Palm Springs, CA 92264

**PETITION TO REVOKE  
PROBATION**

15 Registered Nurse License No. RN 476350

16 Respondent.

17  
18 Complainant alleges:

19 **PARTIES**

20 1. Ruth Ann Terry, M.P.H., R.N. (Complainant) brings this Petition to  
21 Revoke Probation solely in her official capacity as the Executive Officer of the Board of  
22 Registered Nursing, Department of Consumer Affairs.

23 2. On or about March 31, 1992, the Board of Registered Nursing issued  
24 Registered Nurse License Number RN 476350 to Alexis Lynn Lettington (Respondent). The  
25 Registered Nurse License is currently in effect and will expire on September 30, 2009, unless  
26 renewed.

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1 **JURISDICTION**

2 3. This Petition to Revoke Probation is brought before the Board of  
3 Registered Nursing (Board), Department of Consumer Affairs, under the authority of the  
4 following laws. All section references are to the Business and Professions Code unless  
5 otherwise indicated.

6 4. Section 2750 of the Business and Professions Code (Code) provides, in  
7 pertinent part, that the Board may discipline any licensee, including a licensee holding a  
8 temporary or an inactive license, for any reason provided in Article 3 (commencing with section  
9 2750) of the Nursing Practice Act.

10 5. Section 2764 of the Code provides, in pertinent part, that the expiration of  
11 a license shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding  
12 against the licensee or to render a decision imposing discipline on the license. Under section  
13 2811, subdivision (b) of the Code, the Board may renew an expired license at any time within  
14 eight years after the expiration.

15 **PRIOR DISCIPLINARY PROCEEDINGS**

16 6. In a prior disciplinary action entitled "*In the Matter of the Accusation*  
17 *Against Alexis Lynn Lettington*," Case No. 2000-218, the Board of Registered Nursing, issued a  
18 decision, effective August 4, 2001, revoking Respondent's license. However, the revocation was  
19 stayed and Respondent was placed on probation for a period of three (3) years on specific terms  
20 and conditions including the requirement to abstain from all psychotropic drugs, submit to tests  
21 and samples, undergo a physical examination, report in person to interviews, pay cost recovery,  
22 and comply with the probation program. Pursuant to the stipulated settlement, Respondent  
23 admitted that her license was subject to discipline for unprofessional conduct as defined in  
24 Business and Professions Code section 2762, subdivisions (a) and (e) in that while employed as a  
25 registered nurse, Respondent, on multiple occasions between October and November 1997,  
26 obtained and possessed 1200 mg. of the controlled substance Demerol by signing out the drug  
27 for 21 patients without a physician's order and failed to account for the drug in any hospital  
28 record.

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1           Petitioner shall obtain prior approval from the board before enrolling in  
2 the course(s). Petitioner shall submit to the Board the original transcripts or  
3 certificates of completion for the above required course(s). The Board shall  
return the original documents to petitioner after photocopying them for its  
records.

4           16.     Respondent's probation is subject to revocation because she failed to  
5 provide a written Relapse Prevention Plan, a Board-directed nursing course, by February 2008 as  
6 required by Probation Condition 10, referenced above.

7                           **FOURTH CAUSE TO REVOKE PROBATION**

8   **(Cost Recovery)**

9           17.     At all times after the effective date of Respondent's probation, Condition  
10 11 stated:

11                   Petitioner shall pay to the Board costs associated with its investigation and  
12 enforcement pursuant to Business and Professions code section 125.3 in the  
13 amount of \$7,739.50. Petitioner shall be permitted to pay these costs in a  
14 payment plan approved by the Board, with payments to be completed no later  
than three months prior to the end of the probation term.

15           18.     Respondent's probation is subject to revocation because she failed to  
16 make any cost recovery payments as required by Condition 11, referenced above. The balance  
17 due is \$7,739.50.

18                           **FIFTH CAUSE TO REVOKE PROBATION**

19   **(Participate in Treatment/Rehabilitation Program for Chemical Dependence)**

20           19.     At all times after the effective date of Respondent's probation, Condition  
21 15 stated:

22                   Petitioner, at her expense, shall successfully complete during the  
23 probationary period or shall have successfully completed prior to commencement  
24 of probation a Board-approved treatment/rehabilitation program of at least six  
25 months in duration. As required, reports shall be submitted by the program on  
26 forms provided by the Board. If petitioner has not completed a Board-approved  
treatment/rehabilitation program prior to commencement of probation, petitioner,  
with 45 days from the effective date of the decision, shall be enrolled in a  
program. If a program is not successfully completed within the first nine months  
of probation, the Board shall consider petitioner in violation of probation.

27                   Based on Board recommendation, each week petitioner shall be required  
28 to attend at least one, but no more than five 12-step recovery meetings or  
equivalent (e.g., Narcotics Anonymous, Alcoholics Anonymous, etc.) and a nurse  
support group as approved and directed by the Board. If a nurse support group is

1 not available, an additional 12-step meeting or equivalent shall be added.  
2 Petitioner shall submit dated and signed documentation confirming such  
3 attendance to the Board during the entire period of probation. Petitioner shall  
4 continue with the recovery plan recommended by the treatment/rehabilitation  
5 program or a licensed mental health examiner and/or other ongoing recovery  
6 groups.

7 20. Respondent's probation is subject to revocation because she failed to  
8 provide verification of attendance at Nurse Support Group (NSG) meetings and AA/NA  
9 meetings for the following quarters as required by Condition 15, referenced above:

- 10 • July-September 2007, due October 7, 2007
- 11 • October-December 2007, due January 7, 2008
- 12 • January-March 2008, due April 7, 2008
- 13 • April-June 2008, due July 7, 2008
- 14 • July-September 2008, due October 7, 2008
- 15 • October-December 2008, due January 7, 2009
- 16 • January-March 2009, due April 7, 2009

#### 17 **SIXTH CAUSE TO REVOKE PROBATION**

##### 18 **(Abstain From Use of Psychotropic (Mood-Altering) Drugs)**

19 21. At all times after the effective date of Respondent's probation, Condition  
20 16 stated:

21 Petitioner shall completely abstain from the possession, injection or  
22 consumption by any route of all psychotropic (mood altering) drugs, including  
23 alcohol, except when the same are ordered by a health care professional legally  
24 authorized to do so as part of documented medical treatment. Petitioner shall  
25 have sent to the Board in writing and within fourteen (14) days, by the prescribing  
26 health professional, a report identifying the medication, dosage, the date the  
27 medication was prescribed, the petitioner's prognosis, the date the medication will  
28 no longer be required, and the effect on the recovery plan, if appropriate.

Petitioner shall identify for the Board a single physician, nurse practitioner  
or physician assistant who shall be aware of petitioner's history of substance  
abuse and will coordinate and monitor any prescriptions for petitioner for  
dangerous drugs, controlled substance or mood-altering drugs. The coordinating  
physician, nurse practitioner, or physician assistant shall report to the Board on a  
quarterly basis petitioner's compliance with this condition. If any substances  
considered addictive have been prescribed, the report shall identify a program for  
the time limited use of any such substances.

1           The Board may require the single coordinating physician, nurse  
2 practitioner, or physician assistant to be a specialist in addictive medicine, or to  
consult with a specialist in addictive medicine.

3           22.     Respondent's probation is subject to revocation because she tested  
4 positive for alcohol on August 13, 2008, and tested positive for Tramadol, a Schedule II  
5 controlled substance as designated by Health and Safety Code section 11055, subdivision (c),  
6 and a dangerous drug pursuant to Business & Professions Code section 4022, on the following  
7 dates: May 27, 2008; July 7, 2008; July 9, 2008; September 15, 2008, September 23, 2008;  
8 November 3, 2008; November 25, 2008; December 15, 2008; January 22, 2009; and February 2,  
9 2009. Respondent did not identify the primary health care provider who prescribed the  
10 Tramadol, if any, or provide a report identifying the medication, dosage, the date the medication  
11 was prescribed, Respondent's prognosis, and the date the medication will no longer be required  
12 in violation of Condition 16, above. Respondent also admitted to possessing and ingesting  
13 Tramadol purchased in Mexico without a prescription.

#### 14                           SEVENTH CAUSE TO REVOKE PROBATION

##### 15                                   (Submit to Tests and Samples)

16           23.     At all times after the effective date of Respondent's probation, Condition  
17 17 stated:

18                   Petitioner, at her expense, shall participate in a random, biological fluid  
19 testing or a drug screening program which the Board approves. The length of  
20 time and frequency will be subject to approval by the Board. The petitioner is  
21 responsible for keeping the Board informed of petitioner's current telephone  
22 number at all times. Petitioner shall also ensure that messages may be left at the  
telephone number when he is not available and ensure that reports are submitted  
directly by the testing agency to the Board, as directed. Any confirmed positive  
finding shall be reported immediately to the Board by the program and the  
petitioner shall be considered in violation of probation.

23                   In addition, petitioner, at any time during the period of probation, shall  
24 fully cooperate with the board or any of its representatives, and shall, when  
25 requested, submit to such tests and samples as the Board or its representative may  
require for the detection of alcohol, narcotics, hypnotics, dangerous drugs, or  
other controlled substances.

26                   If petitioner has a positive drug screen for any substance not legally  
27 authorized and not reported to the coordinating physician, nurse practitioner, or  
28 physician assistant, and the Board files a petition to revoke probation or an  
accusation, the Board may suspend petitioner from practice pending the final

1 decision on the petition to revoke probation or the accusation. This period of  
2 suspension will not apply to the reduction of this probationary time period.

3 If petitioner fails to participate in a random, biological fluid testing or  
4 drug screening program within the specified time frame, the petitioner shall  
5 immediately cease practice and shall not resume practice until notified by the  
6 Board. After taking into account documented evidence of mitigation, if the Board  
files a petition to revoke probation or an accusation, the Board may suspend  
petitioner from practice pending the final decision on the petition to revoke  
probation or the accusation. This period of suspension will not apply to the  
reduction of this probationary time period.

7 24. Respondent's probation is subject to revocation because she was required  
8 to enroll with Compass Vision by September 1, 2007, but did not do so until January 2008.  
9 Respondent further missed a biological fluid test with Compass Vision on August 8, 2008.

10 **EIGHTH CAUSE TO REVOKE PROBATION**

11 **(Therapy or Counseling Program)**

12 25. At all times after the effective date of Respondent's probation, Condition  
13 19 stated:

14 Petitioner, at her expense, shall participate in an on-going counseling  
15 program until such time as the Board releases her from this requirement and only  
16 upon the recommendation of the counselor. Written progress reports from the  
counselor will be required at various intervals.

17 26. Respondent's probation is subject to revocation because she failed to  
18 verify attendance of on-going counseling in violation of Condition 19, above.

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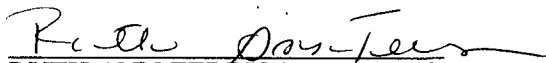
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**PRAYER**

WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

1. Revoking the probation that was granted by the Board of Registered Nursing in Case No. L2007030745 and imposing the disciplinary order that was stayed thereby revoking Registered Nurse License No. RN 476350 issued to Alexis Lynn Lettington;
2. Revoking or suspending Registered Nurse License No. RN 476350, issued to Alexis Lynn Lettington;
3. Taking such other and further action as deemed necessary and proper.

DATED: 5/1/09

  
RUTH ANN TERRY, M.P.H., R.N.  
Executive Officer  
Board of Registered Nursing  
Department of Consumer Affairs  
State of California  
Complainant

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**Exhibit A**  
**Decision and Order**  
**Board of Registered Nursing**  
**Case No. L2007030745**

BEFORE THE  
BOARD OF REGISTERED NURSING  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA

In the Matter of the Petition for  
Reinstatement:

**ALEXIS LYNN LETTINGTON**

Registered Nurse License No. 476350

Petitioner.

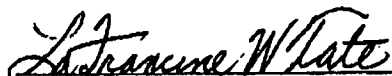
OAH No. L2007030745

**DECISION**

The attached Decision of the Board of Registered Nursing is hereby adopted by the Board as its Decision in the above-entitled matter.

This Decision shall become effective on June 25, 2007.

IT IS SO ORDERED this 25<sup>th</sup> day of May 2007.



President  
Board of Registered Nursing  
Department of Consumer Affairs  
State of California

**BEFORE THE  
BOARD OF REGISTERED NURSING  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA**

In the Matter of the Petition for Reinstatement  
of:

ALEXIS LYNN LETTINGTON,

Registered Nurse License No. 476350

Petitioner.

OAH No. N2007030745

**DECISION**

This matter was heard before a quorum of the Board of Registered Nursing on April 12, 2007, in Berkeley California. Board members present and participating were LaFrancine Tate, Public Member, President; Susanne Phillips, M.S.N., R.N., A.P.R.N.-B.C., F.N.P., Vice President; Carmen Morales-Board, M.S.N., R.N., N.P.; Grace Corse, R.N.; Nancy L. Beecham, R.N.C., and Andrea Dutton, Public Member. Administrative Law Judge Cheryl R. Tompkin, State of California, Office of Administrative Hearings, presided.

Char Sachson, Deputy Attorney General, represented the Office of the Attorney General.

Petitioner Alexis Lynn Lettington represented herself.

This matter was submitted on April 12, 2007.

**FACTUAL FINDINGS**

1. On March 31, 1992, the Board of Registered Nursing (Board) issued Registered Nursing license number 476350 to Alexis Lynn Lettington (petitioner).
2. Effective August 4, 2001, pursuant to a Stipulated Settlement and Disciplinary Order in Case No. 2000-218, the Board revoked petitioner's license. However, revocation was stayed and petitioner was placed on probation for a period of three (3) years on specific terms and conditions. Under the terms of her probation petitioner was required to obey all laws, abstain from the use of all psychotropic (mood altering) drugs, submit to tests and samples, undergo a physical examination, report in person to interviews as directed by the Board, pay cost recovery and comply with her probation program.

Pursuant to the Stipulated Settlement petitioner admitted that her license was subject to discipline under Business and Professions Code section 2761, subdivision (a), for unprofessional conduct as defined in Business and Professions Code section 2762, subdivision (e), in that while employed as a licensed registered nurse, petitioner, on multiple occasions in October and November 1997, signed out Demerol, a controlled substance, for patients without a physician's order for the drug and failed to account for the use of the drug on any other hospital record. Petitioner further admitted that her license was subject to discipline under Business and Professions Code section 2761, subdivision (a), for unprofessional conduct as defined in Business and Professions Code section 2762, subdivision (a), in that while employed as a licensed registered nurse at Desert Medical Group, petitioner fraudulently obtained approximately 1,200 mg of Demerol for her own personal use by signing out the drug for 21 patients without a physician's order, possessed Demerol without a valid prescription and self-administered Demerol without lawful direction from a licensed physician, surgeon, dentist or podiatrist.

3. Effective July 9, 2004, pursuant to a Stipulated Surrender of License and Disciplinary Order in Case No. 2000-218, petitioner surrendered her license to the Board. Pursuant to the Stipulated Surrender petitioner admitted that she had failed to comply with the terms of her probation, including failing to abstain from all psychotropic drugs (petitioner obtained, possessed and self-administered Vicodin), submitting positive drug tests, failing to undergo a physical examination, failing to report in person, failing to obey all laws and failing to pay cost recovery.

4. On or about January 9, 2007, petitioner filed the pending petition for reinstatement.

5. At hearing petitioner explained that she was introduced to opiates as a means of combating physical pain. She began abusing opiates to escape from emotional pain. When she was placed on probation she still had not accepted the extent of her addiction and felt resentful. She no longer has that resentment and would willingly accept and comply with the terms of probation. Petitioner feels she is now able to practice safely. She no longer drinks or uses drugs. She has a sponsor and is actively working the 12-step program. For the last year and a half petitioner has consistently attended a nurse support group and she began seeing a therapist in July 2006. In addition, petitioner has a relapse prevention plan in place. She has also taken nursing courses to keep her nursing skills current.

6. Petitioner currently works as a veterinarian assistant at Village Park Animal Hospital in La Quinta, California. She has held that position since July 2006. Prior to obtaining her current position, petitioner worked as a starter assistant at a golf course. Petitioner is seeking reinstatement as a registered nurse because she loves nursing and in order to increase her income.

7. Petitioner submitted two letters of reference in support of her petition. One of the letters is from petitioner's therapist, R. Keith Simpson, D.O., D.P.H. Simpson writes that

petitioner has been clean and sober since August 4, 2004, and verifies that she is active in her drug program and attends a weekly diversion support group. He further states that he believes petitioner is doing what she needs to do to maintain sobriety and that he believes she is ready to resume work as a nurse. Joyce Francis, C.A.D.C., is the facilitator of the nursing support group which petitioner attends. Francis writes that petitioner began attending the group in June 2005, and has consistently attended the group on a weekly basis since that time. Francis states petitioner has made great progress in her recovery and that she would be a valuable addition to the nursing community.

7. Petitioner also submitted substantial documentation of clean drug test results.

8. The evidence presented demonstrated that petitioner has made great strides toward rehabilitation. She has demonstrated to the satisfaction of the Board that reinstatement of her license upon relevant probationary terms and conditions is warranted.

### LEGAL CONCLUSIONS

Petitioner has established that cause exists to reinstate her license as a registered nurse on a probationary basis and subject to terms and conditions. (Bus. & Prof. Code, § 2760; Gov. Code, § 11522.)

### ORDER

The petition of Alexis Lynn Lettington for reinstatement of her license is granted. A license shall be issued to petitioner. Said license shall immediately be revoked, the order of revocation stayed and petitioner placed on probation for a period of five (5) years on the following conditions:

**SEVERABILITY CLAUSE** – Each condition of probation contained herein is a separate and distinct condition. If any condition of this Order, or any application thereof, is declared unenforceable in whole, in part, or to any extent, the remainder of this Order, and all other applications thereof, shall not be affected. Each condition of this Order shall separately be valid and enforceable to the fullest extent permitted by law.

1. **Obey All Laws** - Petitioner shall obey all federal, state and local laws. A full and detailed account of any and all violations of law shall be reported by the petitioner to the Board in writing within seventy-two (72) hours of occurrence. To permit monitoring of compliance with this condition, petitioner shall submit completed fingerprint forms and fingerprint fees within 45 days of the effective date of the decision, unless previously submitted as part of the licensure application process.

**Criminal Court Orders:** If petitioner is under criminal court orders, including probation or parole, and the order is violated, this shall be deemed a violation

of these probation conditions, and may result in the filing of an accusation and/or petition to revoke probation.

2. **Comply with the Board's Probation Program** - Petitioner shall fully comply with the conditions of the Probation Program established by the Board and cooperate with representatives of the Board in its monitoring and investigation of the petitioner's compliance with the Board's Probation Program. Petitioner shall inform the Board in writing within no more than 15 days of any address change and shall at all times maintain an active, current license status with the Board, including during any period of suspension.

Upon successful completion of probation, petitioner's license shall be fully restored.

3. **Report in Person** - Petitioner, during the period of probation, shall appear in person at interviews/ meetings as directed by the Board or its designated representatives.
4. **Residency, Practice, or Licensure Outside of State** - Periods of residency or practice as a registered nurse outside of California shall not apply toward a reduction of this probation time period. Petitioner's probation is tolled, if and when she resides outside of California. The petitioner must provide written notice to the Board within 15 days of any change of residency or practice outside the state, and within 30 days prior to re-establishing residency or returning to practice in this state.

Petitioner shall provide a list of all states and territories where she has ever been licensed as a registered nurse, vocational nurse, or practical nurse. Petitioner shall further provide information regarding the status of each license and any changes in such license status during the term of probation. Petitioner shall inform the Board if she applies for or obtains a new nursing license during the term of probation.

5. **Submit Written Reports** - Petitioner, during the period of probation, shall submit or cause to be submitted such written reports/declarations and verification of actions under penalty of perjury, as required by the Board. These reports/declarations shall contain statements relative to petitioner's compliance with all the conditions of the Board's Probation Program. Petitioner shall immediately execute all release of information forms as may be required by the Board or its representatives.

Petitioner shall provide a copy of this decision to the nursing regulatory agency in every state and territory in which he or she has a registered nurse license.

6. Function as a Registered Nurse - Petitioner, during the period of probation, shall engage in the practice of registered nursing in California for a minimum of 24 hours per week for 6 consecutive months or as determined by the Board.

For purposes of compliance with the section, "engage in the practice of registered nursing" may include, when approved by the Board, volunteer work as a registered nurse, or work in any non-direct patient care position that requires licensure as a registered nurse.

The Board may require that advanced practice nurses engage in advanced practice nursing for a minimum of 24 hours per week for 6 consecutive months or as determined by the Board.

If petitioner has not complied with this condition during the probationary term, and the petitioner has presented sufficient documentation of her good faith efforts to comply with this condition, and if no other conditions have been violated, the Board, in its discretion, may grant an extension of the petitioner's probation period up to one year without further hearing in order to comply with this condition. During the one year extension, all original conditions of probation shall apply.

7. Employment Approval and Reporting Requirements - Petitioner shall obtain prior approval from the Board before commencing or continuing any employment, paid or voluntary, as a registered nurse. Petitioner shall cause to be submitted to the Board all performance evaluations and other employment related reports as a registered nurse upon request of the Board.

Petitioner shall provide a copy of this decision to his or her employer and immediate supervisors prior to commencement of any nursing or other health care related employment.

In addition to the above, petitioner shall notify the Board in writing within seventy-two (72) hours after she obtains any nursing or other health care related employment. Petitioner shall notify the Board in writing within seventy-two (72) hours after she is terminated or separated, regardless of cause, from any nursing, or other health care related employment with a full explanation of the circumstances surrounding the termination or separation.

8. Supervision - Petitioner shall obtain prior approval from the Board regarding petitioner's level of supervision and/or collaboration before commencing or continuing any employment as a registered nurse, or education and training that includes patient care.

Petitioner shall practice only under the direct supervision of a registered nurse in good standing (no current discipline) with the Board of Registered Nursing,



unless alternative methods of supervision and/or collaboration (e.g., with an advanced practice nurse or physician) are approved.

Petitioner's level of supervision and/or collaboration may include, but is not limited to the following:

- (a) Maximum - The individual providing supervision and/or collaboration is present in the patient care area or in any other work setting at all times.
  - (b) Moderate - The individual providing supervision and/or collaboration is in the patient care unit or in any other work setting at least half the hours petitioner works.
  - (c) Minimum - The individual providing supervision and/or collaboration has person-to-person communication with petitioner at least twice during each shift worked.
  - (d) Home Health Care - If petitioner is approved to work in the home health care setting, the individual providing supervision and/or collaboration shall have person-to-person communication with petitioner as required by the Board each work day. Petitioner shall maintain telephone or other telecommunication contact with the individual providing supervision and/or collaboration as required by the Board during each work day. The individual providing supervision and/or collaboration shall conduct, as required by the Board, periodic, on-site visits to patients' homes visited by the petitioner with or without petitioner present.
9. Employment Limitations - Petitioner shall not work for a nurse's registry, in any private duty position as a registered nurse, a temporary nurse placement agency, a traveling nurse, or for an in-house nursing pool.

Petitioner shall not work for a licensed home health agency as a visiting nurse unless the registered nursing supervision and other protections for home visits have been approved by the Board. Petitioner shall not work in any other registered nursing occupation where home visits are required.

Petitioner shall not work in any health care setting as a supervisor of registered nurses. The Board may additionally restrict petitioner from supervising licensed vocational nurses and/or unlicensed assistive personnel on a case-by-case basis.

Petitioner shall not work as a faculty member in an approved school of nursing or as an instructor in a Board approved continuing education program.

Petitioner shall work only on a regularly assigned, identified and predetermined worksite(s) and shall not work in a float capacity.

If the petitioner is working or intends to work in excess of 40 hours per week, the Board may request documentation to determine whether there should be restrictions on the hours of work.

10. Complete a Nursing Course(s) - Petitioner, at her own expense, shall enroll and successfully complete a course(s) relevant to the practice of registered nursing no later than six months prior to the end of her probationary term.

Petitioner shall obtain prior approval from the Board before enrolling in the course(s). Petitioner shall submit to the Board the original transcripts or certificates of completion for the above required course(s). The Board shall return the original documents to petitioner after photocopying them for its records.

11. Cost Recovery – Petitioner shall pay to the Board costs associated with its investigation and enforcement pursuant to Business and Professions Code section 125.3 in the amount of \$7,739.50. Petitioner shall be permitted to pay these costs in a payment plan approved by the Board, with payments to be completed no later than three months prior to the end of the probation term.
12. Violation of Probation - If a petitioner violates the conditions of her probation, the Board after giving the petitioner notice and an opportunity to be heard, may set aside the stay order and impose the stayed discipline (revocation/suspension) of the petitioner's license.

If during the period of probation, an accusation or petition to revoke probation has been filed against petitioner's license or the Attorney General's Office has been requested to prepare an accusation or petition to revoke probation against the petitioner's license, the probationary period shall automatically be extended and shall not expire until the accusation or petition has been acted upon by the Board.

13. License Surrender - During petitioner's term of probation, if she ceases practicing due to retirement, health reasons or is otherwise unable to satisfy the conditions of probation, petitioner may surrender her license to the Board. The Board reserves the right to evaluate petitioner's request and to exercise its discretion whether to grant the request, or to take any other action deemed appropriate and reasonable under the circumstances, without further hearing. Upon formal acceptance of the tendered license and wall certificate, petitioner will no longer be subject to the conditions of probation.

Surrender of petitioner's license shall be considered a disciplinary action and shall become a part of petitioner's license history with the Board. A registered nurse whose license has been surrendered may petition the Board for reinstatement no sooner than the following minimum periods from the effective date of the disciplinary decision:

1. Two years for reinstatement of a license that was surrendered for any reason other than a mental or physical illness; or
  2. One year for a license surrendered for a mental or physical illness.
14. **Physical Examination** - Within 45 days of the effective date of this decision, petitioner, at her expense, shall have a licensed physician, nurse practitioner, or physician assistant, who is approved by the Board before the assessment is performed, submit an assessment of the petitioner's physical condition and capability to perform the duties of a registered nurse. Such an assessment shall be submitted in a format acceptable to the Board. If medically determined, a recommended treatment program will be instituted and followed by the petitioner with the physician, nurse practitioner, or physician assistant providing written reports to the Board on forms provided by the Board.

If petitioner is determined to be unable to practice safely as a registered nurse, the licensed physician, nurse practitioner, or physician assistant making this determination shall immediately notify the Board and petitioner by telephone, and the Board shall request that the Attorney General's office prepare an accusation or petition to revoke probation. Petitioner shall immediately cease practice and shall not resume practice until notified by the Board. During this period of suspension, petitioner shall not engage in any practice for which a license issued by the Board is required until the Board has notified petitioner that a medical determination permits petitioner to resume practice. This period of suspension will not apply to the reduction of this probationary time period.

If the petitioner fails to have the above assessment submitted to the Board within the 45-day requirement, petitioner shall immediately cease practice and shall not resume practice until notified by the Board. This period of suspension will not apply to the reduction of this probationary time period. The Board may waive or postpone this suspension only if significant, documented evidence of mitigation is provided. Such evidence must establish good faith efforts by the petitioner to obtain the assessment, and a specific date for compliance must be provided. Only one such waiver or extension may be permitted.

15. **Participate in Treatment/Rehabilitation Program for Chemical Dependence** - Petitioner, at her expense, shall successfully complete during the probationary period or shall have successfully completed prior to commencement of

probation a Board-approved treatment/rehabilitation program of at least six months duration. As required, reports shall be submitted by the program on forms provided by the Board. If petitioner has not completed a Board-approved treatment/rehabilitation program prior to commencement of probation, petitioner, within 45 days from the effective date of the decision, shall be enrolled in a program. If a program is not successfully completed within the first nine months of probation, the Board shall consider petitioner in violation of probation.

Based on Board recommendation, each week petitioner shall be required to attend at least one, but no more than five 12-step recovery meetings or equivalent (e.g., Narcotics Anonymous, Alcoholics Anonymous, etc.) and a nurse support group as approved and directed by the Board. If a nurse support group is not available, an additional 12-step meeting or equivalent shall be added. Petitioner shall submit dated and signed documentation confirming such attendance to the Board during the entire period of probation. Petitioner shall continue with the recovery plan recommended by the treatment/rehabilitation program or a licensed mental health examiner and/or other ongoing recovery groups.

16. Abstain from Use of Psychotropic (Mood-Altering) Drugs -Petitioner shall completely abstain from the possession, injection or consumption by any route of all psychotropic (mood altering) drugs, including alcohol, except when the same are ordered by a health care professional legally authorized to do so as part of documented medical treatment. Petitioner shall have sent to the Board, in writing and within fourteen (14) days, by the prescribing health professional, a report identifying the medication, dosage, the date the medication was prescribed, the petitioner's prognosis, the date the medication will no longer be required, and the effect on the recovery plan, if appropriate.

Petitioner shall identify for the Board a single physician, nurse practitioner or physician assistant who shall be aware of petitioner's history of substance abuse and will coordinate and monitor any prescriptions for petitioner for dangerous drugs, controlled substances or mood-altering drugs. The coordinating physician, nurse practitioner, or physician assistant shall report to the Board on a quarterly basis petitioner's compliance with this condition. If any substances considered addictive have been prescribed, the report shall identify a program for the time limited use of any such substances.

The Board may require the single coordinating physician, nurse practitioner, or physician assistant to be a specialist in addictive medicine, or to consult with a specialist in addictive medicine.

17. Submit to Tests and Samples - Petitioner, at her expense, shall participate in a random, biological fluid testing or a drug screening program which the Board

approves. The length of time and frequency will be subject to approval by the Board. The petitioner is responsible for keeping the Board informed of petitioner's current telephone number at all times. Petitioner shall also ensure that messages may be left at the telephone number when he is not available and ensure that reports are submitted directly by the testing agency to the Board, as directed. Any confirmed positive finding shall be reported immediately to the Board by the program and the petitioner shall be considered in violation of probation.

In addition, petitioner, at any time during the period of probation, shall fully cooperate with the Board or any of its representatives, and shall, when requested, submit to such tests and samples as the Board or its representatives may require for the detection of alcohol, narcotics, hypnotics, dangerous drugs, or other controlled substances.

If petitioner has a positive drug screen for any substance not legally authorized and not reported to the coordinating physician, nurse practitioner, or physician assistant, and the Board files a petition to revoke probation or an accusation, the Board may suspend petitioner from practice pending the final decision on the petition to revoke probation or the accusation. This period of suspension will not apply to the reduction of this probationary time period.

If petitioner fails to participate in a random, biological fluid testing or drug screening program within the specified time frame, the petitioner shall immediately cease practice and shall not resume practice until notified by the Board. After taking into account documented evidence of mitigation, if the Board files a petition to revoke probation or an accusation, the Board may suspend petitioner from practice pending the final decision on the petition to revoke probation or the accusation. This period of suspension will not apply to the reduction of this probationary time period.

18. **Mental Health Examination** - The petitioner shall, within 45 days of the effective date of this decision, have a mental health examination including psychological testing as appropriate to determine her capability to perform the duties of a registered nurse. The examination will be performed by a psychiatrist, psychologist or other licensed mental health practitioner approved by the Board. The examining mental health practitioner will submit a written report of that assessment and recommendations to the Board. All costs are the responsibility of the petitioner. Recommendations for treatment, therapy or counseling made as a result of the mental health examination will be instituted and followed by the petitioner.

If petitioner is determined to be unable to practice safely as a registered nurse, the licensed mental health care practitioner making this determination shall immediately notify the Board and petitioner by telephone, and the Board shall

request that the Attorney General's office prepare an accusation or petition to revoke probation. Petitioner shall immediately cease practice and may not resume practice until notified by the Board. During this period of suspension, petitioner shall not engage in any practice for which a license issued by the Board is required, until the Board has notified petitioner that a mental health determination permits petitioner to resume practice. This period of suspension will not apply to the reduction of this probationary time period.

If the petitioner fails to have the above assessment submitted to the Board within the 45-day requirement, petitioner shall immediately cease practice and shall not resume practice until notified by the Board. This period of suspension will not apply to the reduction of this probationary time period. The Board may waive or postpone this suspension only if significant, documented evidence of mitigation is provided. Such evidence must establish good faith efforts by the petitioner to obtain the assessment, and a specific date for compliance must be provided. Only one such waiver or extension may be permitted.

19. Therapy or Counseling Program - Petitioner, at her expense, shall participate in an on-going counseling program until such time as the Board releases her from this requirement and only upon the recommendation of the counselor. Written progress reports from the counselor will be required at various intervals.

DATED: MAY 25, 2007

LaFrancine Tate

LaFrancine Tate, Public Member  
President  
Board of Registered Nursing  
State of California

1 BILL LOCKYER, Attorney General  
2 of the State of California  
3 JOSEPH N. ZIMRING, State Bar No. 185916  
4 Deputy Attorney General  
5 California Department of Justice  
6 300 So. Spring Street, Suite 1702  
7 Los Angeles, CA 90013  
8 Telephone: (213) 897-2559  
9 Facsimile: (213) 897-2804

10 Attorneys for Complainant

11  
12 **BEFORE THE**  
13 **BOARD OF REGISTERED NURSING**  
14 **DEPARTMENT OF CONSUMER AFFAIRS**  
15 **STATE OF CALIFORNIA**

16 In the Matter of the Accusation and Petition to  
17 Revoke Probation Against:

Case No. 2000-218

18 ALEXIS LYNN LETTINGTON  
19 3963 Calle San Antonio  
20 Palm Springs, CA 92264

**STIPULATED SURRENDER OF  
LICENSE AND DISCIPLINARY  
ORDER**

21 Registered Nursing License No. 476350

22 Respondent.

23 In the interest of a prompt and speedy resolution of this matter, consistent with the  
24 public interest and the responsibility of the Board of Registered Nursing (Board) of the  
25 Department of Consumer Affairs the parties hereby agree to the following Stipulated Surrender  
26 of License and Order which will be submitted to the Board for approval and adoption as the final  
27 disposition of the Accusation and Petition to Revoke Probation.

28 PARTIES

1. Ruth Ann Terry, M.P.H., R.N. (Complainant) is the Executive Officer of  
the Board. She brought this action solely in her official capacity and is represented in this matter  
by Bill Lockyer, Attorney General of the State of California, by Joseph N. Zimring, Deputy  
Attorney General.

2. Alexis Lynn Lettington (Respondent) is representing herself in this  
proceeding and has chosen not to exercise her right to be represented by counsel.

1.  
**STIPULATED SURRENDER OF LICENSE AND DISCIPLINARY ORDER**

3., On or about March 31, 1992, the Board issued Registered Nursing License No. 476350 to Respondent. The License was in full force and effect at all times relevant to the charges brought in Accusation and Petition to Revoke Probation No. 2000-218 and will expire on September 30, 2005, unless renewed.

## JURISDICTION

4. Accusation and Petition to Revoke Probation No. 2000-218 was filed before the Board and is currently pending against Respondent. The Accusation and Petition to Revoke Probation and all other statutorily required documents were properly served on Respondent on December 18, 2003. Respondent filed a Notice of Defense contesting the Accusation and Petition to Revoke Probation. The Accusation and Petition to Revoke Probation is incorporated by reference.

## ADVISEMENT AND WAIVERS

5. Respondent has carefully read, and understands the charges and allegations in Accusation and Petition to Revoke Probation No: 2000-218. Respondent also has carefully read, and understands the effects of this Stipulated Surrender of License and Order.

6. Respondent is fully aware of her legal rights in this matter, including the right to a hearing on the charges and allegations in the Accusation and Petition to Revoke Probation; the right to be represented by counsel, at her own expense; the right to confront and cross-examine the witnesses against her; the right to present evidence and to testify on her own behalf; the right to the issuance of subpoenas to compel the attendance of witnesses and the production of documents; the right to reconsideration and court review of an adverse decision; and all other rights accorded by the California Administrative Procedure Act and other applicable laws.

7. Respondent voluntarily, knowingly, and intelligently waives and gives up each and every right set forth above.

CULPABILITY

8. Respondent admits the truth of each and every charge and allegation in Accusation and Petition to Revoke Probation No. 2000-218. Respondent agrees that she has



violated her probation and that cause exists for discipline. Respondent surrenders her Registered Nursing License No. 476350 for the Board's formal acceptance.

9. Respondent understands that by signing this stipulation she enables the Board to issue an order accepting the surrender of her Registered Nursing License without further process.

## CONTINGENCY

10. This stipulation shall be subject to approval by the Board. Respondent understands and agrees that counsel for Complainant and the staff of the Board may communicate directly with the Board regarding this stipulation and settlement, without notice to or participation by Respondent. By signing the stipulation, Respondent understands and agrees that she may not withdraw her agreement or seek to rescind the stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt this stipulation as its Decision and Order, the Stipulated Surrender of License and Disciplinary Order shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal action between the parties, and the Board shall not be disqualified from further action by having considered this matter.

11. The parties understand and agree that facsimile copies of this Stipulated Surrender of License and Disciplinary Order, including facsimile signatures thereto, shall have the same force and effect as the originals.

12. In consideration of the foregoing admissions and stipulations, the parties agree that the Board may, without further notice or formal proceeding, issue and enter the following Order:

## ORDER

IT IS HEREBY ORDERED that Registered Nursing License No. 476350, issued to Respondent Alexis Lynn Lettington is surrendered and accepted by the Board of Registered Nursing.

13. The surrender of Respondent's Registered Nursing License and the acceptance of the surrendered license by the Board shall constitute the imposition of discipline

1 against Respondent. This stipulation constitutes a record of the discipline and shall become a  
2 part of Respondent's license history with the Board.

3 14. Respondent shall lose all rights and privileges as a Registered Nurse in  
4 California as of the effective date of the Board's Decision and Order.

5 15. Respondent shall cause to be delivered to the Board both her License  
6 wall and pocket license certificate on or before the effective date of the Decision and Order.

7 16. Respondent fully understands and agrees that if she ever files an  
8 application for licensure or a petition for reinstatement in the State of California, the Board shall  
9 treat it as a petition for reinstatement. Respondent must comply with all the laws, regulations  
10 and procedures for reinstatement of a revoked license in effect at the time the petition is filed,  
11 and all of the charges and allegations contained in Accusation and Petition to Revoke Probation  
12 No. 2000-218 shall be deemed to be true, correct, and admitted by Respondent when the Board  
13 determines whether to grant or deny the petition.

14 17. Upon reinstatement of the license, Respondent shall pay to the Board costs  
15 associated with its investigation and enforcement pursuant to Business and Professions Code  
16 section 125.3 in the amount of \$7,739.50. Respondent shall be permitted to pay these costs in a  
17 payment plan approved by the Board.

18 18. Should Respondent ever apply or reapply for a new license or certification,  
19 or petition for reinstatement of a license, by any other health care licensing agency in the State of  
20 California, all of the charges and allegations contained in Accusation and Petition to Revoke  
21 Probation, No. 2000-218 shall be deemed to be true, correct, and admitted by Respondent for the  
22 purpose of any Statement of Issues or any other proceeding seeking to deny or restrict licensure.

23 19. Respondent shall not apply for licensure or petition for reinstatement for  
24 two (2) years from the effective date of the Board of Registered Nursing's Decision and Order.

25 ACCEPTANCE

26 I have carefully read the Stipulated Surrender of License and Order. I understand  
27 the stipulation and the effect it will have on my Registered Nursing License. I understand that I  
28 have the right to consult with an attorney at my own expense and I have chosen not to do so. I

1 enter into this Stipulated Surrender of License and Order voluntarily, knowingly, and  
2 intelligently, and agree to be bound by the Decision and Order of the Board of Registered  
3 Nursing.

4 DATED: 2-14-04

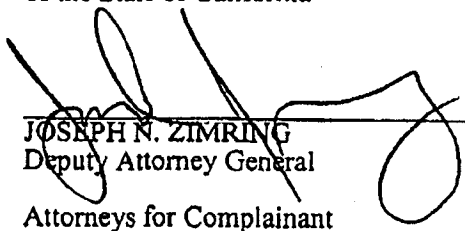
5  
6   
7 ALEXIS LYNN LETTINGTON  
8 Respondent

9  
10 ENDORSEMENT

11 The foregoing Stipulated Surrender of License and Order is hereby respectfully  
12 submitted for consideration by the Board of Registered Nursing of the Department of Consumer  
13 Affairs.

14  
15 DATED: 2/24/2004

16  
17 BILL LOCKYER, Attorney General  
18 of the State of California

19   
20 JOSEPH N. ZIMRING  
21 Deputy Attorney General  
22 Attorneys for Complainant

23  
24  
25 DOJ Docket Number/Matter ID: 03579110-LA2003600921  
26 60023134.wpd  
27  
28

1 BILL LOCKYER, Attorney General  
of the State of California  
2 JOSEPH N. ZIMRING, State Bar No. 185916  
Deputy Attorney General  
3 California Department of Justice  
300 So. Spring Street, Suite 1702  
4 Los Angeles, CA 90013  
Telephone: (213) 897-2559  
5 Facsimile: (213) 897-2804  
6 Attorneys for Complainant

7  
8 **BEFORE THE**  
9 **BOARD OF REGISTERED NURSING**  
10 **DEPARTMENT OF CONSUMER AFFAIRS**  
**STATE OF CALIFORNIA**

11 In the Matter of the Accusation and Petition to  
Revoke Probation Against:

Case No. 2000-218

12 ALEXIS LYNN LETTINGTON  
13 3963 Calle San Antonio  
14 Palm Springs, CA 92264

**ACCUSATION AND PETITION TO  
REVOKE PROBATION**

15 Registered Nursing License No. 476350

16 Respondent.

17  
18 Complainant alleges:

19 **PARTIES**

20 1. Ruth Ann Terry, M.P.H., R.N. (Complainant) brings this Accusation and  
21 Petition to Revoke Probation solely in her official capacity as the Executive Officer of the Board  
22 of Registered Nursing (Board), California Department of Consumer Affairs.

23 2. On or about March 31, 1992, the Board of Registered Nursing issued  
24 Registered Nursing License No. 476350 to Alexis Lynn Lettington (Respondent). The  
25 Registered Nursing License was in full force and effect at all times relevant to the charges  
26 brought herein and will expire on September 30, 2005, unless renewed.

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JURISDICTION

3. This Accusation is brought before the Board under the authority of the following laws. All section references are to the Business and Professions Code unless otherwise indicated.

4. Section 2750 provides that every licensee may be disciplined.

5. Section 2761 provides that the Board may take disciplinary action against a certified or licensed nurse for any of the following:

(a) Unprofessional conduct.

....

(d) Violating or attempting to violate, directly or indirectly, or assisting in or abetting the violating of, or conspiring to violate any provision or term of the Nursing Practice Act or regulations adopted pursuant to it.

6. Section 2762 provides that it is unprofessional conduct for a person licensed under this chapter to do any of the following:

(a) Obtain or possess in violation of law, or prescribe, or except as directed by a licensed physician and surgeon, dentist, or podiatrist administer to himself or herself, or furnish or administer to another, any controlled substance as defined in Division 10 (commencing with Section 11000) of the Health and Safety Code or any dangerous drug or dangerous device as defined in Section 4022.

7. Section 11170 of the Health and Safety Code provides: "no person shall prescribe, administer, or furnish a controlled substance for himself."

8. Section 125.3 of the Code provides, in pertinent part, that the Board may request the administrative law judge to direct a licensee found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

CONTROLLED SUBSTANCE

9. Vicodin is a trade name for hydrocodone and is a Schedule III controlled substance pursuant to Health and Safety Code section 11056(e)(7).

PRIOR DISCIPLINE

10. In a disciplinary action entitled "In the Matter of Accusation Against Alexis L. Lettington," Case No. 2000-218, the Board of Registered Nursing, issued a Decision, effective August 4, 2001, in which Respondent's Registered Nursing License No. 476350 was revoked. However, the revocation was stayed and Respondent's license was placed on probation for a period of three (3) years with certain terms and conditions. A copy of that decision is attached as Exhibit A and is incorporated by reference.

The terms and conditions included:

"(1) OBEY ALL LAWS - Respondent shall obey all federal, state and local laws. A full and detailed account of any and all violations of law shall be reported by the Respondent to the Board in writing within seventy-two (72) hours of occurrence. To permit monitoring of compliance with this term, Respondent shall submit completed fingerprint cards and fingerprint fees within 45 days of the effective date of the decision, unless previously submitted as part of the licensure application process. Respondent shall submit a recent 2" x 2" photograph of herself within 45 days of the effective date of the final decision."

"2. COMPLY WITH PROBATION PROGRAM - Respondent shall fully comply with the terms and conditions of the Probation Program established by the Board and cooperate with representatives of the Board in its monitoring and investigation of the Respondent's compliance with the Probation Program. Respondent shall inform the Board in writing within no more than 15 days of any address change and shall at all times maintain an active, current license status with the Board, including during any period of suspension."

"(3) REPORT IN PERSON - Respondent, during the period of probation, shall appear in person at interviews/meetings as directed by the Board or its designated representatives."

"(12) COST RECOVERY - Respondent shall pay to the Board costs associated with its investigation and enforcement pursuant to Business and Professions Code Section 125.3 in the amount of \$6,998.00. Respondent shall be permitted to pay these costs in a payment plan approved by the Board, with payments to be completed no later than three months prior to the end of the probation term."

"(14) PHYSICAL EXAMINATION - Within 45 days of the effective date of this decision, Respondent, at her expense, shall have a licensed physician, nurse practitioner, or physician assistant, who is approved by the Board before the assessment is performed, submit an assessment of the Respondent's physical condition and capability to perform the duties of a registered nurse. Such an assessment shall be submitted in a format acceptable to the Board. If medically determined, a recommended treatment program will be instituted and followed by the Respondent with the physician, nurse practitioner, or physician assistant providing written reports to the Board on forms provided by the Board."

1. If Respondent is determined to be unable to practice safely as a  
2. registered nurse, the licensed physician, nurse practitioner, or physician assistant  
3. making this determination shall immediately notify the Probation Program and  
4. Respondent by telephone. Respondent shall immediately cease practice and shall  
5. not resume practice until notified by the Probation Monitor. During this period of  
6. suspension, Respondent shall not engage in any practice for which a license issued  
7. by the Board is required until the Probation Monitor has notified Respondent that  
8. a medical determination permits respondent to resume practice."

9. **"(16) ABSTAIN FROM USE OF PSYCHOTROPIC (MOOD-  
10. ALTERING) DRUGS** - Respondent shall completely abstain from the  
11. possession, injection or consumption by any route of all psychotropic (mood  
12. altering) drugs, including alcohol, except when the same are ordered by a health  
13. care professional legally authorized to do so and are part of documented medical  
14. treatment. Respondent shall have sent to the Board, in writing and within  
15. fourteen (14) days, by the prescribing physician or dentist, a report identifying the  
16. medication, dosage, the date the medication was prescribed, the Respondent's  
17. prognosis, the date the medication will no longer be required, and the effect on the  
18. recovery plan, if appropriate.

19. Respondent shall identify for the Board a single physician, nurse  
20. practitioner or physician assistant who shall be aware of Respondent's history of  
21. substance abuse and will coordinate and monitor any prescriptions for Respondent  
22. for dangers drugs, controlled substances or mood-altering drugs. The  
23. coordinating physician, nurse practitioner, or physician assistant shall report to the  
24. Board on a quarterly basis Respondent's compliance with this condition. If any  
25. substances considered addictive have been prescribed, the report shall identify a  
26. program for the time limited use of any such substances. The Board may require  
27. the single coordinating physician, nurse practitioner, or physician assistant to be a  
28. specialist in addictive medicine, or to consult with a specialist in addictive  
medicine."

1. **"(17) SUBMIT TO TESTS AND SAMPLES** - Respondent, at  
2. her expense, shall participate in a random, biological fluid testing or a drug  
3. screening program which the Board approves. The length of time and frequency  
4. will be subject to approval by the Board. Respondent is responsible for keeping  
5. the Board informed of her current telephone number at all times. Respondent  
6. shall also ensure that messages may be left at the telephone number when she is  
7. not available and ensure that reports are submitted directly by the testing agency  
8. to the Board, as directed. Any confirmed positive finding shall be reported  
9. immediately to the Board by the program and the Respondent shall be considered  
10. in violation of probation.

11. In addition, Respondent, at any time during the period of probation,  
12. shall fully cooperate with the Board or any of its representatives, and shall, when  
13. requested, submit to such tests and samples as the Board or its representatives  
14. may require for the detection of alcohol, narcotics, hypnotics, dangerous drugs or  
15. other controlled substances.

16. If Respondent has a positive drug screen for any substance not  
17. legally authorized and not reported to the coordinating physician, nurse  
18. practitioner, or physician assistant, and the Board files a petition to revoke  
19. probation or an accusation, the Board may suspend Respondent from practice  
20. pending the final decision on the petition to revoke probation or on the  
21. Accusation."

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- 1 c. January 3, 2002  
2 d. February 14, 2002  
3 e. March 25, 2002  
4 f. May 23, 2002  
5 g. June 20, 2002.

6 FIFTH CAUSE FOR VIOLATION OF PROBATION

7 (Failed to Obey Laws)

8 16. Respondent violated Condition 1 of her probation for the reasons stated in  
9 Paragraph 11.

10 17. Respondent violated Condition 1 of her probation for violating Health and  
11 Safety Code section 11170 for the reasons stated in Paragraph 11.

12 SIXTH CAUSE FOR VIOLATION OF PROBATION

13 (Failed to Comply With Probation)

14 18. Respondent violated Condition 2 of her probation for the reasons stated in  
15 Paragraphs 11 - 17.

16 PRAYER

17 WHEREFORE, Complainant requests that a hearing be held on the matters herein  
18 alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

19 1. Revoking or suspending Registered Nursing License No. 476350, issued to  
20 Alexis Lynn Lettington;

21 2. Revoking the probation in Case No. 2000-218 and imposing the  
22 revocation which was stayed;

23 3. Ordering Alexis Lynn Lettington to pay the Board of Registered Nursing  
24 the reasonable costs of the investigation and enforcement of this case, pursuant to Business and  
25 Professions Code section 125.3;

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4. Taking such other and further action as deemed necessary and proper.

DATED: 12/8/03

Ruth Ann Terry  
RUTH ANN TERRY, M.P.H., R.N.  
Executive Officer  
Board of Registered Nursing  
Department of Consumer Affairs  
State of California  
Complainant

03579110-LA2003600921  
60018032.wpd  
CML (11/20/2003)

BEFORE THE  
BOARD OF REGISTERED NURSING  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA

In the Matter of the Accusation Against:

ALEXIS L. LETTINGTON  
3963 Calle San Antonio  
Palm Springs, CA 92262

Registered Nurse License No. 476350

Respondent.

Case No. 2000-218

OAH No. L-2000080325

**DECISION AND ORDER**

The attached Stipulated Settlement and Disciplinary Order is hereby adopted by the Board of Registered Nursing of the Department of Consumer Affairs, as its Decision in the above entitled matter.

This Decision shall become effective on August 4th, 2001.

It is so ORDERED July 5th, 2001.

*Sandra K. Erickson*

FOR THE BOARD OF REGISTERED NURSING  
DEPARTMENT OF CONSUMER AFFAIRS

1 BILL LOCKYER, Attorney General  
of the State of California  
2 SHERRY LEDAKIS, State Bar No. 131767  
Deputy Attorney General  
3 California Department of Justice  
110 West "A" Street, Suite 1100  
4 San Diego, California 92101

5 P.O. Box 85266  
San Diego, California 92186-5266  
6 Telephone: (619) 645-2078  
Facsimile: (619) 645-2061  
7

8 Attorneys for Complainant  
9

10 **BEFORE THE**  
**BOARD OF REGISTERED NURSING**  
11 **DEPARTMENT OF CONSUMER AFFAIRS**  
**STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

13 ALEXIS L. LETTINGTON  
14 3963 Calle San Antonio  
Palm Springs, CA 92262

15 Registered Nurse License No. 476350  
16

17 Respondent.  
18

Case No. 2000-218

OAH No. L-2000080325

**STIPULATED SETTLEMENT AND  
DISCIPLINARY ORDER**

19 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the  
20 above-entitled proceedings that the following matters are true:

21 PARTIES

22 1. Complainant Ruth Ann Terry, M.P.H., R.N. is the Executive Officer of the  
23 Board of Registered Nursing. She brought this action solely in her official capacity and is  
24 represented in this matter by Bill Lockyer, Attorney General of the State of California, by Sherry  
25 Ledakis, Deputy Attorney General.

26 2. Respondent Alexis L. Lettington is representing herself in pro per in this  
27 proceeding.

28 ///

1           3.     On or about March 31, 1992, the Board of Registered Nursing issued  
2 Registered Nurse License No. 476350 to Respondent Alexis Lettington ("Respondent"). Said  
3 license will expire on September 30, 2001, if not renewed.

4                               JURISDICTION

5           4.     On June 6, 2000, Accusation No. 2000-218, was filed before the Board of  
6 Registered Nursing of the Department of Consumer Affairs, ("Board"), and is currently pending  
7 against Respondent. The Accusation, together with all other statutorily required documents, was  
8 duly served on Respondent on June 14, 2000, and Respondent timely filed her Notice of Defense  
9 contesting the Accusation. A copy of Accusation No. 2000-218 is attached as Exhibit A and  
10 incorporated herein by reference.

11                              ADVISEMENT AND WAIVERS

12           5.     Respondent has carefully read the nature of the charges and allegations in  
13 the Accusation and understands the effects of this Stipulated Settlement and Disciplinary Order.

14           6.     Respondent is fully aware of her legal rights in this matter, including the  
15 right to a hearing on the charges and allegations in the Accusation, the right to be represented by  
16 counsel at her own expense, the right to confront and cross-examine the witnesses against her,  
17 the right to present evidence and to testify on her own behalf, the right to the issuance of  
18 subpoenas to compel the attendance of witnesses and the production of documents, the right to  
19 reconsideration and court review of an adverse decision, and all other rights accorded by the  
20 California Administrative Procedure Act and other applicable laws.

21           7.     Respondent voluntarily, knowingly and intelligently waives and gives up  
22 each and every right set forth above.

23                              CULPABILITY

24           8.     Respondent understands that the charges and allegations in the Accusation,  
25 if proven at a hearing, constitute cause for imposing discipline upon her Registered Nurse  
26 License Number 476350.

27           9.     Respondent admits the truth of each and every charge and allegation in  
28 Accusation No. 2000-218.

10. Respondent agrees that her Registered Nurse License Number 476350 is subject to discipline and agrees to be bound by the Board's imposition of discipline as set forth in the Order below.

## CONTINGENCY

11. This stipulation shall be subject to the approval of the Board. Respondent understands and agrees that the Board of Registered Nursing's staff and counsel for Complainant may communicate directly with the Board regarding this stipulation and settlement, without notice to or participation by Respondent. If the Board fails to adopt this Stipulation as its Order, except for this paragraph the Stipulated Settlement and Disciplinary Order shall be of no force or effect, it shall be inadmissible in any legal action between the parties, and the Board shall not be disqualified from further action by having considered this matter.

12. The parties agree that facsimile copies of this Stipulated Settlement and Disciplinary Order, including facsimile signatures thereto, shall have the same force and effect as the original Stipulated Settlement and Disciplinary Order and signatures.

**SEVERABILITY CLAUSE**

13. Each term and condition of probation contained herein is a separate and distinct term and condition. If any term and condition of this Order, or any application thereof, is declared unenforceable in whole, in part, or to any extent, the remainder of this Order, and all other applications thereof, shall not be affected. Each term and condition of this Order shall separately be valid and enforceable to the fullest extent permitted by law.

14. In consideration of the foregoing admissions and stipulations, the parties agree that the Board shall, without further notice or formal proceeding, issue and enter the following Disciplinary Order:

## DISCIPLINARY ORDER

**IT IS HEREBY ORDERED** that Registered Nurse License Number 476350 issued to Respondent Alexis L. Lettington is revoked. However, the revocation is stayed and Respondent is placed on probation for three (3) years on the following terms and conditions.

///

1                   (1) **OBEY ALL LAWS** - Respondent shall obey all federal, state and local laws.  
2 A full and detailed account of any and all violations of law shall be reported by the Respondent  
3 to the Board in writing within seventy-two (72) hours of occurrence. To permit monitoring of  
4 compliance with this term, Respondent shall submit completed fingerprint cards and fingerprint  
5 fees within 45 days of the effective date of the decision, unless previously submitted as part of  
6 the licensure application process. Respondent shall submit a recent 2" x 2" photograph of  
7 herself within 45 days of the effective date of the final decision.

8                   (2) **COMPLY WITH PROBATION PROGRAM** - Respondent shall fully  
9 comply with the terms and conditions of the Probation Program established by the Board and  
10 cooperate with representatives of the Board in its monitoring and investigation of the  
11 Respondent's compliance with the Probation Program. Respondent shall inform the Board in  
12 writing within no more than 15 days of any address change and shall at all times maintain an  
13 active, current license status with the Board, including during any period of suspension.

14                   (3) **REPORT IN PERSON** - Respondent, during the period of probation, shall  
15 appear in person at interviews/meetings as directed by the Board or its designated  
16 representatives.

17                   (4) **RESIDENCY OR PRACTICE OUTSIDE OF STATE** - Periods of  
18 residency or practice as a registered nurse outside of California will not apply to the reduction of  
19 this probationary term. The Respondent must provide written notice to the Board within 15 days  
20 of any change of residency or practice outside the state.

21                   (5) **SUBMIT WRITTEN REPORTS** - Respondent, during the period of  
22 probation, shall submit or cause to be submitted such written reports/declarations and verification  
23 of actions under penalty of perjury, as required by the Board. These reports/declarations shall  
24 contain statements relative to Respondent's compliance with all the terms and conditions of the  
25 Board's Probation Program. Respondent shall immediately execute all release of information  
26 forms as may be required by the Board or its representatives.

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1           (6) **PROVIDE DECISION** - Respondent shall provide a copy of this decision to  
2 the nursing regulatory agency in every state and territory in which she has a registered nurse  
3 license.

4           (7) **FUNCTION AS A REGISTERED NURSE** - Respondent, during the  
5 period of probation, shall engage in the practice of registered nursing in California for a  
6 minimum of 24 hours per week for 6 consecutive months or as determined by the Board.  
7 For purposes of compliance with the section, "engage in the practice of registered nursing" may  
8 include, when approved by the Board, volunteer work as a registered nurse, or work in any non-  
9 direct patient care position that requires licensure as a registered nurse. The Board may require  
10 that advanced practice nurses engage in advanced practice nursing for a minimum of 24 hours  
11 per week for 6 consecutive months or as determined by the Board.

12           If Respondent has not complied with this condition during the probationary term,  
13 and the Respondent has presented sufficient documentation of his or her good faith efforts to  
14 comply with this condition, and if no other conditions have been violated, the Board, in its  
15 discretion, may grant an extension of the Respondent's probation period up to one year without  
16 further hearing in order to comply with this condition.

17           (8) **EMPLOYMENT APPROVAL AND REPORTING REQUIREMENTS** -  
18 Respondent shall obtain prior approval from the Board before commencing any employment,  
19 paid or voluntary, as a registered nurse. Respondent shall cause to be submitted to the Board all  
20 performance evaluations and other employment related reports as a registered nurse upon request  
21 of the Board.

22           Respondent shall provide a copy of this decision to her employer and immediate  
23 supervisor prior to commencement of any nursing or other health care related employment.

24           Respondent shall notify the Board in writing within seventy-two (72) hours after  
25 she obtains any nursing or other health care related employment, when such employment is not  
26 as a registered nurse. Respondent shall notify the Board in writing within seventy-two (72) hours  
27 after she is terminated from any registered nursing, other nursing, or other health care related  
28 employment with a full explanation of the circumstances surrounding the termination.



1                   (9) SUPERVISION - Respondent shall obtain prior approval from the Board  
2 regarding Respondent's level of supervision and/or collaboration before commencing any  
3 employment as a registered nurse.

4                   Respondent shall practice only under the direct supervision of a registered nurse  
5 in good standing (no current discipline) with the Board of Registered Nursing, unless alternative  
6 methods of supervision and/or collaboration (e.g., with an advanced practice nurse or physician)  
7 are approved.

8                   Respondent's level of supervision and/or collaboration may include, but is not  
9 limited to the following:

10                   (a) Maximum - The individual providing supervision and/or collaboration is  
11 present in the patient care area or in any other work setting at all times.

12                   (b) Moderate - The individual providing supervision and/or collaboration is in  
13 the patient care unit or in any other work setting at least half the hours Respondent works.

14                   (c) Minimum - The individual providing supervision and/or collaboration has  
15 person-to-person communication with Respondent at least twice during each shift worked.

16                   (d) Home Health Care - If Respondent is approved to work in the home health  
17 care setting, the individual providing supervision and/or collaboration shall have person-to-  
18 person communication with Respondent as required by the Board each work day. Respondent  
19 shall maintain telephone or other telecommunication contact with the individual providing  
20 supervision and/or collaboration as required by the Board during each work day. The individual  
21 providing supervision and/or collaboration shall conduct, as required by the Board, periodic, on-  
22 site visits to patients' homes visited by the Respondent with or without Respondent present.

23                   (10) EMPLOYMENT LIMITATIONS - Respondent shall not work for a  
24 nurse's registry, in any private duty position as a registered nurse, a temporary nurse placement  
25 agency, or for an in-house nursing pool.

26                   Respondent shall not work for a licensed home health agency as a visiting nurse  
27 unless the registered nursing supervision and other protections for home visits have been

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1 approved by the Board. Respondent shall not work in any other registered nursing occupation  
2 where home visits are required.

3 Respondent shall not work in any health care setting as a supervisor of registered  
4 nurses. The Board may additionally restrict Respondent from supervising licensed vocational  
5 nurses and/or unlicensed assistive personnel on a case-by-case basis.

6 Respondent shall not work as a faculty member in an approved school of nursing  
7 or as an instructor in a Board approved continuing education program.

8 Respondent shall work only on a regularly assigned, identified and predetermined  
9 worksite(s) and shall not work in a float capacity.

10 If the Respondent is working or intends to work in excess of 40 hours per week,  
11 the Board may request documentation to determine whether there should be restrictions on the  
12 hours of work.

13 (11) COMPLETE A NURSING COURSE(S) - Respondent, at his or her own  
14 expense, shall enroll and successfully complete a course(s) relevant to the practice of registered  
15 nursing no later than six months prior to the end of her probationary term. Respondent shall  
16 obtain prior approval from the Board before enrolling in the course(s). Respondent shall submit  
17 to the Board the original transcripts or certificates of completion for the above required course(s).  
18 The Board shall return the original documents to respondent after photocopying them for its  
19 records.

20 (12) COST RECOVERY - Respondent shall pay to the Board costs associated  
21 with its investigation and enforcement pursuant to Business and Professions Code Section 125.3  
22 in the amount of \$6,998.00. Respondent shall be permitted to pay these costs in a payment plan  
23 approved by the Board, with payments to be completed no later than three months prior to the  
24 end of the probation term.

25 (13) VIOLATION OF PROBATION - If a Respondent violates the conditions  
26 of her probation, the Board after giving the Respondent notice and an opportunity to be heard,  
27 may set aside the stay order and impose the stayed discipline (revocation/suspension) of the  
28 Respondent's license.

1 If during the period of probation, an accusation or petition to revoke probation has  
2 been filed against Respondent's license or the Attorney General's Office has been requested to  
3 prepare an accusation or petition to revoke probation against the Respondent's license, the  
4 probationary period shall automatically be extended and shall not expire until the accusation or  
5 petition has been acted upon by the Board. Upon successful completion of probation, the  
6 Respondent's license will be fully restored.

7 (14) PHYSICAL EXAMINATION - Within 45 days of the effective date of this  
8 decision, Respondent, at her expense, shall have a licensed physician, nurse practitioner, or  
9 physician assistant, who is approved by the Board before the assessment is performed, submit an  
10 assessment of the Respondent's physical condition and capability to perform the duties of a  
11 registered nurse. Such an assessment shall be submitted in a format acceptable to the Board. If  
12 medically determined, a recommended treatment program will be instituted and followed by the  
13 Respondent with the physician, nurse practitioner, or physician assistant providing written  
14 reports to the Board on forms provided by the Board.

15 If Respondent is determined to be unable to practice safely as a registered nurse,  
16 the licensed physician, nurse practitioner, or physician assistant making this determination shall  
17 immediately notify the Probation Program and Respondent by telephone. Respondent shall  
18 immediately cease practice and shall not resume practice until notified by the Probation Monitor.  
19 During this period of suspension, Respondent shall not engage in any practice for which a license  
20 issued by the Board is required until the Probation Monitor has notified Respondent that a  
21 medical determination permits Respondent to resume practice.

22 (15) PARTICIPATE IN TREATMENT/REHABILITATION PROGRAM  
23 FOR CHEMICAL DEPENDENCE - Respondent, at her expense, shall successfully complete  
24 during the probationary period or shall have successfully completed prior to commencement of  
25 probation a Board-approved treatment/rehabilitation program of at least six months. As required,  
26 reports shall be submitted by the program on forms provided by the Board. If Respondent has  
27 not completed a Board-approved treatment/rehabilitation program prior to commencement of  
28 probation, Respondent, within 45 days from the effective date of the decision, shall be enrolled in

1 a program. If a program is not successfully completed within the first nine months of probation,  
2 the Board shall consider Respondent in violation of probation.

3 Based on Probation Program recommendations, each week Respondent shall be  
4 required to attend at least one, but no more than five 12-step recovery meetings or equivalent  
5 (e.g., Narcotics Anonymous, Alcoholics Anonymous, etc.) and a nurse support group as  
6 approved and directed by the Board. If a nurse support group is not available, an additional 12  
7 step meeting or equivalent shall be added. Respondent shall submit dated and signed  
8 documentation confirming such attendance to the Board during the entire period of probation.  
9 Respondent shall continue with the recovery plan recommended by the treatment/rehabilitation  
10 program or a licensed mental health examiner and/or other ongoing recovery groups.

11 **(16) ABSTAIN FROM USE OF PSYCHOTROPIC (MOOD-ALTERING)**

12 **DRUGS** - Respondent shall completely abstain from the possession, injection or consumption by  
13 any route of all psychotropic (mood altering) drugs, including alcohol, except when the same are  
14 ordered by a health care professional legally authorized to do so and are part of documented  
15 medical treatment. Respondent shall have sent to the Board, in writing and within fourteen (14)  
16 days, by the prescribing physician or dentist, a report identifying the medication, dosage, the date  
17 the medication was prescribed, the Respondent's prognosis, the date the medication will no  
18 longer be required, and the effect on the recovery plan, if appropriate.

19 Respondent shall identify for the Board a single physician, nurse practitioner or  
20 physician assistant who shall be aware of Respondent's history of substance abuse and will  
21 coordinate and monitor any prescriptions for Respondent for dangerous drugs, controlled  
22 substances or mood-altering drugs. The coordinating physician, nurse practitioner, or physician  
23 assistant shall report to the Board on a quarterly basis Respondent's compliance with this  
24 condition. If any substances considered addictive have been prescribed, the report shall identify a  
25 program for the time limited use of any such substances. The Board may require the single  
26 coordinating physician, nurse practitioner, or physician assistant to be a specialist in addictive  
27 medicine, or to consult with a specialist in addictive medicine.

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1                   **(17) SUBMIT TO TESTS AND SAMPLES** - Respondent, at her expense, shall  
2 participate in a random, biological fluid testing or a drug screening program which the Board  
3 approves. The length of time and frequency will be subject to approval by the Board.  
4 Respondent is responsible for keeping the Board informed of her current telephone number at all  
5 times. Respondent shall also ensure that messages may be left at the telephone number when she  
6 is not available and ensure that reports are submitted directly by the testing agency to the Board,  
7 as directed. Any confirmed positive finding shall be reported immediately to the Board by the  
8 program and the Respondent shall be considered in violation of probation.

9                   In addition, Respondent, at any time during the period of probation, shall fully  
10 cooperate with the Board or any of its representatives, and shall, when requested, submit to such  
11 tests and samples as the Board or its representatives may require for the detection of alcohol,  
12 narcotics, hypnotics, dangerous drugs, or other controlled substances.

13                   If Respondent has a positive drug screen for any substance not legally authorized  
14 and not reported to the coordinating physician, nurse practitioner, or physician assistant, and the  
15 Board files a petition to revoke probation or an accusation, the Board may suspend Respondent  
16 from practice pending the final decision on the petition to revoke probation or on the accusation.

17                   **(18) MENTAL HEALTH EXAMINATION** - The Respondent shall, within 45  
18 days of the effective date of this decision, have a mental health examination including  
19 psychological testing as appropriate to determine her capability to perform the duties of a  
20 registered nurse. The examination will be performed by a psychiatrist, psychologist or other  
21 licensed mental health practitioner approved by the Board. The examining mental health  
22 practitioner will submit a written report of that assessment and recommendations to the Board.  
23 All costs are the responsibility of the Respondent. Recommendations for treatment, therapy or  
24 counseling made as a result of the mental health examination will be instituted and followed by  
25 the Respondent.

26                   If Respondent is determined to be unable to practice safely as a registered nurse,  
27 the licensed mental health care practitioner making this determination shall immediately notify  
28 the Probation Program and Respondent by telephone. Respondent shall immediately cease

1 practice and may not resume practice until notified by the Probation Monitor. During this period  
2 of suspension, Respondent shall not engage in any practice for which a license issued by the  
3 Board is required, until the Probation Monitor has notified Respondent that a mental health  
4 determination permits Respondent to resume practice.

5 (19) THERAPY OR COUNSELING PROGRAM - Respondent, at her  
6 expense, shall participate in an on-going counseling program until such time as the Board  
7 releases her from this requirement and only upon the recommendation of the counselor. Written  
8 progress reports from the counselor will be required at various intervals.

9 ACCEPTANCE

10 I have carefully read the above Stipulated Settlement and Disciplinary Order and  
11 I understand the effect this stipulation will have on my Registered Nurse License. I enter into  
12 this Stipulated Settlement voluntarily, knowingly and intelligently and agree to be bound by the  
13 Disciplinary Order and Decision of the Board of Registered Nursing. I further agree that a

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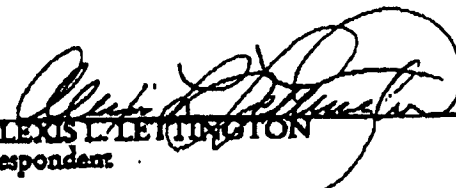
Sent by: DEPT OF JUSTICE

019 045 2081;

03/23/01 :31PM; Jafax #854; Page 13/15

1 facsimile copy of this Stipulated Settlement and Disciplinary Order, including facsimile copies of  
2 signatures, may be used with the same force and effect as the originals.

3 DATED: 3.29.01

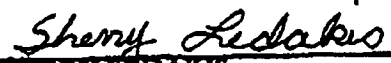
4  
5   
6 ALEXIS L. LETTINGTON  
7 Respondent

8 **ENDORSEMENT**

9 The foregoing Stipulated Settlement and Disciplinary Order is hereby  
10 respectfully submitted for consideration by the Board of Registered Nursing of the Department  
11 of Consumer Affairs.

12 DATED: 3/30/01

13 BILL LOCKYER, Attorney General  
14 of the State of California

15   
16 SHERRY LEDAKIS  
17 Deputy Attorney General  
18 Attorneys for Complainant  
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28

1 BILL LOCKYER, Attorney General  
of the State of California  
2 SHERRY LEDAKIS, State Bar No. 131767  
Deputy Attorney General  
3 110 West "A" Street, Suite 1100  
P.O. Box 85266  
4 San Diego, California 92101-5266  
Telephone: (619) 645-2078  
5 Facsimile: (619) 645-2061

6 Attorneys for Complainant

7  
8 BEFORE THE  
BOARD OF REGISTERED NURSING  
9 DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA  
10  
11

12 In the Matter of the Accusation Against: ) NO. 2000-218  
13 ALEXIS LYNN LETTINGTON ) ACCUSATION  
3963 Calle San Antonio )  
14 Palm Springs, California 92264 )  
Registered Nurse License No. 476350 )  
15 Respondent. )  
16

17 Ruth Ann Terry, M.P.H., R.N., for causes for discipline alleges:

18 1. Complainant Ruth Ann Terry, M.P.H., R.N., makes and files this accusation in  
19 her official capacity as Executive Officer, Board of Registered Nursing, Department of  
20 Consumer Affairs, State of California.

21 LICENSE INFORMATION

22 2. On March 31, 1992, the Board of Registered Nursing issued Registered Nurse  
23 License Number 476350. to Alexis Lynn Lettington (hereinafter referred to as respondent). On  
24 September 30, 2001, the license will expire, if not renewed.

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JURISDICTION

4. Under Business and Professions Code section 2750, the Board of Registered Nursing may discipline any licensee, including a licensee holding a temporary or an inactive license, for any reason provided in Article 3 of the Nursing Practice Act.
5. Under Business and Professions Code section 2764, the expiration of a license shall not deprive the Board of Registered Nursing of jurisdiction to proceed with a disciplinary proceeding against the licensee or to render a decision imposing discipline of the licensee.
6. Under Business and Professions Code section 125.3, the Board may request the administrative law judge to direct a licentiate found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

DRUGS

7. "Demerol," a brand of meperidine hydrochloride, a derivative of pethidine, is a Schedule II controlled substance as designated by Health and Safety Code section 11055(c)(17).

GROUND FOR DISCIPLINE

8. Respondent has subjected her license to discipline under Business and Professions Code section 2761(a) on the grounds of unprofessional conduct as defined in section 2762(e) of that code in that while employed as a licensed registered nurse at Desert Medical Group, Palm Springs, California, she falsified or made grossly incorrect, grossly inconsistent entries in the hospital and patient records in the following respects:

PATIENT: I.L., Medical Record #16511

- a. On October 7, 1997, at 1730 hours, on Narcotic Sign Out Sheet #10416, respondent signed out 25 mg. Demerol for this patient even though there was no physician's order for the drug and failed to account for the use of the drug on any other hospital record.

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1           b. On October 7, 1997, at 1730 hours, on Narcotic Sign Out Sheet #10417,  
2 respondent signed out 50 mg. Demerol for this patient even though there was no physician's  
3 order for the drug and failed to account for the use of the drug on any other hospital record.

4           c. On October 15, 1997, at 2030 hours, on Narcotic Sign Out Sheet #10421,  
5 respondent signed out 25 mg. Demerol for this patient, failed to chart administration on the  
6 record or otherwise account for the use of the drug.

7           PATIENT: E.D., Medical Record #145419

8           d. On October 7, 1997, at 2030 hours, on Narcotic Sign Out Sheet #10417,  
9 respondent signed out 100 mg. Demerol for this patient even though there was no physician's  
10 order for the drug and failed to account for the use of the drug on any other hospital record.

11           PATIENT: L.S., Medical Record #202432

12           e. On October 7, 1997, at 1915 hours, on Narcotic Sign Out Sheet #10417,  
13 respondent signed out 100 mg. Demerol for this patient even though there was no physician's  
14 order for the drug and failed to account for the use of the drug on any other hospital record.

15           PATIENT: C.M., Medical Record #142742

16           f. On October 10, 1997, at 1845 hours, on Narcotic Sign Out Sheet #10416,  
17 respondent signed out 25 mg. Demerol for this patient even though there was no physician's  
18 order for the drug and failed to account for the use of the drug on any other hospital record.

19           g. On October 10, 1997, at 1845 hours, on Narcotic Sign Out Sheet #10417,  
20 respondent signed out 50 mg. Demerol for this patient even though there was no physician's  
21 order for the drug and failed to account for the use of the drug on any other hospital record.

22           PATIENT: A.D., Medical Record #121362

23           h. On October 10, 1997, at 1630 hours, on Narcotic Sign Out Sheet #10417,  
24 respondent signed out 100 mg. Demerol for this patient even though there was no physician's  
25 order for the drug and failed to account for the use of the drug on any other hospital record.

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1                   PATIENT: W.E., Medical Record #136039

2                   i. On October 10, 1997, at 1645 hours, on Narcotic Sign Out Sheet #10417,  
3 respondent signed out 100 mg. Demerol for this patient even though there was no physician's  
4 order for the drug and failed to account for the use of the drug on any other hospital record.

5                   PATIENT: C.M., Medical Record #115683

6                   j. On October 10, 1997, at 1900 hours, on Narcotic Sign Out Sheet #10416,  
7 respondent signed out 25 mg. Demerol for this patient even though there was no physician's  
8 order for the drug and failed to account for the use of the drug on any other hospital record.

9                   k. On October 10, 1997, at 1900 hours, on Narcotic Sign Out Sheet #10417,  
10 respondent signed out 50 mg. Demerol for this patient even though there was no physician's  
11 order for the drug and failed to account for the use of the drug on any other hospital record.

12                   PATIENT: C.L., Medical Record #173490

13                   l. On October 15, 1997, at 2045 hours, on Narcotic Sign Out Sheet #10422,  
14 respondent signed out 100 mg. Demerol for this patient even though there was no physician's  
15 order for the drug and failed to account for the use of the drug on any other hospital record.

16                   PATIENT: J.P., Medical Record #219061

17                   m. On October 15, 1997, at 1700 hours, on Narcotic Sign Out Sheet #10422,  
18 respondent signed out 100 mg. Demerol for this patient even though there was no physician's  
19 order for the drug and failed to account for the use of the drug on any other hospital record.

20                   PATIENT: D.W., Medical Record #167162

21                   n. On October 15, 1997, at 1800 hours, on Narcotic Sign Out Sheet #10421,  
22 respondent signed out 25 mg. Demerol for this patient even though there was no physician's  
23 order for the drug and failed to account for the use of the drug on any other hospital record.

24                   o. On October 15, 1997, at 1800 hours, on Narcotic Sign Out Sheet #10422,  
25 respondent signed out 50 mg. Demerol for this patient even though there was no physician's  
26 order for the drug and failed to account for the use of the drug on any other hospital record.

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1                    PATIENT: J.V., Medical Record #241750

2                    p. On October 15, 1997, at 1930 hours, on Narcotic Sign Out Sheet #10421,  
3 respondent signed out 25 mg. Demerol for this patient even though there was no physician's  
4 order for the drug and failed to account for the use of the drug on any other hospital record.

5                    q. On October 15, 1997, at 1930 hours, on Narcotic Sign Out Sheet #10422,  
6 respondent signed out 50 mg. Demerol for this patient even though there was no physician's  
7 order for the drug and failed to account for the use of the drug on any other hospital record.

8                    PATIENT: M.H., Medical Record #160452

9                    r. On November 2, 1997, at 1415 hours, on Narcotic Sign Out Sheet #10426,  
10 respondent signed out 100 mg. Demerol for this patient even though there was no physician's  
11 order for the drug and failed to account for the use of the drug on any other hospital record.

12                    PATIENT: P.D., Medical Record #179015

13                    s. On November 2, 1997, at 1145 hours, on Narcotic Sign Out Sheet #10426,  
14 respondent signed out 100 mg. Demerol for this patient even though there was no physician's  
15 order for the drug and failed to account for the use of the drug on any other hospital record.

16                    PATIENT: R.G., Medical Record #167265

17                    t. On November 2, 1997, at 1030 hours, on Narcotic Sign Out Sheet #10425,  
18 respondent signed out 25 mg. Demerol for this patient even though there was no physician's  
19 order for the drug and failed to account for the use of the drug on any other hospital record.

20                    u. On November 2, 1997, at 1030 hours, on Narcotic Sign Out Sheet #10426,  
21 respondent signed out 50 mg. Demerol for this patient even though there was no physician's  
22 order for the drug and failed to account for the use of the drug on any other hospital record.

23                    10. Respondent has subjected her license to discipline under Business and  
24 Professions Code section 2761(a) on the grounds of unprofessional conduct as defined in section  
25 2762(a) of that code in that in or about October and November, 1997, while employed as a  
26 licensed registered nurse at Desert Medical Group, she did the following:

27                    ///

1 a. Obtained approximately 1,200 mg. Demerol, by fraud, deceit,  
2 misrepresentation or subterfuge in violation of Health and Safety Code sections 11173(a) when  
3 she signed out the drug from the hospital supply for approximately 21 patients who had no  
4 physician's order for the drug, for her own personal use.

5 b. Possessed Demerol, a controlled substance, in violation of Business and  
6 Profession Code section 4060 in that she had no valid prescription therefor.

7 c. Self-administered Demerol, a controlled substance, without lawful direction  
8 from a licensed physician and surgeon, dentist, or podiatrist.

9 PRAYER

10 WHEREFORE, complainant prays that a hearing be held and the Board of  
11 Registered Nursing make its order:

12 1. Revoking or suspending registered nurse license number 476350, issued to  
13 Alexis Lynn Lettington.

14 2. Ordering respondent to pay to the Board its costs in the investigation and  
15 enforcement of the case according to proof at the hearing, pursuant to Business and Professions  
16 Code section 125.3.

17 3. Taking such other and further action as may be deemed proper and appropriate.

18 DATED: 6/6/00

19  
20  
21 Ruth Ann Terry  
22 RUTH ANN TERRY, M.P.H., R.N.  
23 Executive Officer  
24 Board of Registered Nursing  
25 Department of Consumer Affairs  
26 State of California

27 Complainant

26 03579110-  
27 SD99AD0651  
4-19-00 (jo)